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|--------------------------------------|---|-------------------------------------|
| <b>THOMAS LAFAVE</b>                 | : |                                     |
|                                      | : |                                     |
| Claimant                             | : | <b>HEARING NUMBER: 20B-UI-04068</b> |
|                                      | : |                                     |
| and                                  | : |                                     |
|                                      | : | <b>EMPLOYMENT APPEAL BOARD</b>      |
|                                      | : | <b>DECISION</b>                     |
| <b>DES MOINES WHEEL &amp; RIM CO</b> | : |                                     |
|                                      | : |                                     |
| Employer                             | : |                                     |
|                                      | : |                                     |
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|                                      | : |                                     |

## DECISION

The administrative law judge issued a decision June 17, 2020. The decision was favorable to the Employer as to the issue of timeliness of the protest. On July 22, 2020, the Employer appealed the decision of the administrative law judge to the Employment Appeal Board.

Pursuant to 486 IAC 3.1(2), "[a]ny person aggrieved by a job service decision of an administrative law judge may appeal to the employment appeal board . . . ." The Employment Appeal Board interprets an aggrieved person to be one who receives an unfavorable decision from the administrative law judge. Here the decision of the administrative law judge is favorable to the Employer. For this reason, the Employer's appeal must be and is dismissed.

The Employer's appeal is **DISMISSED**. The decision of the administrative law judge remains in full force and effect. The Employment Appeal Board would also comment that should the Claimant receive an unfavorable

decision on the merits of this case, the Claimant may raise any concerns over the timeliness of the protest in his appeal at that time.

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Ashley R. Koopmans

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James M. Strohman

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Myron R. Linn

AMG/fnv